

EXHIBIT O

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF WEST VIRGINIA
3 AT CHARLESTON

4 IN RE: ETHICON, INC., PELVIC)
REPAIR SYSTEM PRODUCTS)
5 LIABILITY LITIGATION)
_____)

6 THIS DOCUMENT RELATES TO THE) Master File No.
7 FOLLOWING CASES IN WAVE 1 OF) 2:11-MD-02327
MDL 200:)

8) MDL 2327
Joan Adams v. Ethicon, Inc.,)
9 et al.)
Civil Action No.)
2:12-cv-1103)

10)
Lois Hoy, et al v. Ethicon,)
Inc., et al.)
11 Civil Action No.)
2:12-cv-00876)

12)
Charlene Miracle v. Ethicon,)
13 Inc., et al.)
Civil Action No.)
14 2:12-cv-00510)

15)
Donna Zoltowski, et al. v.)
Ethicon, Inc., et al.)
16 Civil Action No.)
2:12-cv-00811)

17 _____
18
19 DEPOSITION OF

20
21 RUSSELL F. DUNN, PH.D., P.E.

22 Taken on behalf of the Defendants

23 March 7, 2016
24
25

1 RUSSELL F. DUNN, PH.D., P.E.

2 was called as a witness, and after having been
3 first duly sworn, testified as follows:

4

5 EXAMINATION BY MR. DAVIS:

6 Q. Good morning, Dr. Dunn.

7 A. Good morning.

8 Q. Since we've met before, I'll just kind
9 of jump into things. Let me hand you first, to
10 start off, a copy of Exhibit 1.

11 (Whereupon Exhibit 1 was marked as an
12 exhibit.)

13 BY MR. DAVIS:

14 Q. And can you just confirm that that's a
15 copy of your report that is the subject matter of
16 this deposition?

17 A. Yes, sir.

18 Q. Okay. Let me just run through a couple
19 more documents.

20 Well, why don't you just keep -- yeah,
21 we'll --

22 A. Oh. Sure.

23 Q. I realize you've got your own notebook
24 with your copy.

25 A. Uh-huh.

1 BY MR. BOWMAN:

2 Q. Exhibit Number 1. Your report has two
3 distinct sections to it; is that correct?

4 A. That is correct.

5 Q. And the first section -- can you
6 describe for us what the first section entails?

7 A. Yes. The first section deals with the
8 properties of Prolene polypropylene.

9 Q. And --

10 A. And failure analysis techniques for
11 evaluating a polymer when you're -- when you see
12 degradation of some sort.

13 Q. So I believe you've already answered
14 this with respect to the use of Prolene.

15 Is the first section of your report, is
16 it limited specifically to a listing of Ethicon
17 meshes, or do you know?

18 A. It would be -- I would tell you that
19 it's applicable to any POP meshes.

20 (Reporter interruption for
21 clarification.)

22 THE WITNESS: POP, P-O-P.

23 BY MR. BOWMAN:

24 Q. Okay. Now, with respect to meshes
25 that -- if we look at -- if we actually do look at

1 your report, Doctor, the -- if you look at the
2 "Background" section, Section 2.

3 A. Yes.

4 Q. If we just look at the second paragraph
5 there, you describe that your report -- "The
6 opinions expressed in this report are twofold."

7 Do you see that?

8 A. Yes.

9 Q. And the first section -- the first part
10 of your report, it says you present your opinions
11 "that were formed through using several industry
12 standard polymer failure analyses, examining the
13 use of Ethicon's polypropylene blend Prolene in the
14 pelvic mesh application."

15 Do you see that?

16 A. Yes, I do.

17 Q. Now, at all -- at all in the first half
18 of your report, do you limit your opinions to the
19 use of Prolene for SUI purposes or for POP
20 purposes?

21 A. I don't limit it.

22 Q. Okay. And, with respect to the second
23 half of your report, do you limit yourself
24 similarly between SUI or and POP products, or are
25 there specific products that are referenced in the

1 second half of your report?

2 A. In the second half of the report, I
3 specifically look at the Prosima, the Prolift, and
4 Prolift+M, and I specifically look at the failure
5 mode and effects analysis that went into those
6 particular products.

7 Q. Okay. And that's -- those are the two
8 sections of your report; is that right, Doctor?

9 A. That is correct.

10 Q. Do you believe that the two sections of
11 your report stand independently of each other?

12 A. I do.

13 Q. With respect to the exhibit -- the last
14 exhibit of the day, I believe, was Exhibit 11.

15 And it was associated with
16 Dr. Barbolt's testimony?

17 A. The listing of degradation.

18 Q. Was that Exhibit 11?

19 A. Yes, it is.

20 Q. Okay. The listing of degradation -- it
21 says -- at the top of the page, it says "Design and
22 Development of Mesh Products." And it says "The
23 specifics of all testing related to the TVT
24 products" --

25 A. Correct.

1 C E R T I F I C A T E
2 STATE OF TENNESSEE)
3 COUNTY OF DAVIDSON)

4 I, Lise S. Matthews, RMR, CRR, CRC, LCR
5 353, Licensed Court Reporter and Notary Public, in
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23 IN WITNESS WHEREOF, I have hereunto set
24 my hand and affixed my notarial seal this _____
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26 Lise S. Matthews, RMR, CRR, CRC
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